$~110

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010524822026**

\+ W.P.(CRL) 3418/2026 CRL.M.A. 34225-34227/2026

ARJUN DEV BHATIA .....Petitioner

Through: Mr. Amit Chadha, Sr. Adv. with Mr. Mustafa Alam, Mr. Harjas, Mr. Harjas, Mr. Nitin Gautam, Mr. Amit Garg, Ms. Yashima Sharma, Mr. Shahzad, Ms. Liza Paras, Advs.

versus

STATE NCT OF DELHI & ORS. .....Respondents

Through: Mr. Anand V Khatri, ASC (Crl.) with SI Deepak Dahiya, PS Subhash Place

Mr. R.K. Tarun, Ms. Aditi Shivadhatri, Mr. Hemant Jain, Ms. Khushi Gupta and Capt. Subedita Rani and Mr. R.R. Bharti, Advs. for R-2

Mr. Gaurav Gupta and Mr. Rohit Rattu, Advs. for R-3

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 03.11.2026

CRL.M.A. 34225/2026 (for exemption)

1. Allowed, subject to all just exceptions.

2. The application stands disposed of.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 04/11/2026 at 19:49:05

W.P.(CRL) 3418/2026

3. This petition has been filed seeking the following relief:

> "a. Quash & Set Aside the **Order dated 23.10.2026** passed by the Ld. JMFC, Mahila Court-2, North-West District, Rohini Courts in Complaint No.21185 of 2016 (DV Act) in case titled as Priya Bhatia Vs. Amit Bhatia, whereby allowing Respondent No.2 to enter in the premises 20, Chander Lok Enclave, Pitampura, Delhi-110034, as an alternate accommodation, which belongs entirely to the Petitioner being the absolute owner of the same."
>
> [Emphasis Supplied]

4. The trial Court *vide* impugned order dated 23.10.2026 has passed an order in favour of respondent no. 2 herein permitting her to enter House No. 20, Chander Lok Enclave, Pitampura, Delhi-110034 ['House No. 20 at Pitampura'], as an alternate accommodation due to her imminent eviction from Flat No. 156, Dhundiyal Apartment, Madhuban Chowk, Pitampura, Delhi-110034 ['Flat No. 156']. This petition has been filed aggrieved by the said direction.

5. Learned senior counsel appearing on behalf of the petitioner states that respondent nos. 2 and 3 are married to each other. He states that petitioner is the father of respondent no. 3 and father-in-law of respondent no. 2.

5.1. He states that it is a matter of record that respondent nos. 2 and 3 stopped residing at House No. 20 at Pitampura since February 2010 and have since then lived separately from the petitioner.

5.2. He states that the details of the homes and cities[1] where the petitioner respondents have lived separately since the year 2010 are duly mentioned on

[1] Bangalore, Mumbai

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 04/11/2026 at 19:49:05

record.

5.3. He states that respondent nos. 2 and 3 were last residing together at Flat No. 156 w.e.f. April, 2013 and have continued to stay there uninterruptedly till October, 2026.

5.4. He states that respondent no. 3 presently resides at Pune, at the address given in the memo of parties.

5.5. He states that after the passing of the impugned order, respondent no. 2, on 24.10.2026, along with her two children, has entered House No. 20 at Pitampura.

5.6. He states that the petitioner is 91 years old, the absolute owner of House No. 20 at Pitampura and lives at the house.

6. Mr. Tarun, learned counsel for respondent no. 2, submits that the last rental payable for Flat No. 156 was Rs. 27,500/- per month. The impugned order of the trial Court records that respondent no. 3, who was paying the rental of the flat at Pitampura until 25.09.2025 stopped paying the rent. This led to an eviction decree being passed in favour of the landlord. He states that the eviction decree was passed under Order XII Rule 6 of the CPC on the admission of respondent no. 3.

7. This Court had put to the learned senior counsel for the petitioner whether the petitioner herein is willing to pay the monthly rent of Rs. 27,500/- to respondent no. 2 to enable her to continue to reside at the said flat or take another flat of equal standard.

The matter was passed over to enable the counsel to take instructions.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 04/11/2026 at 19:49:05

8. At pass-over stage, learned senior counsel for the petitioner states that the petitioner is ready and willing to pay the rent at the rate of Rs. 27,500/- per month to respondent no. 2. In addition, the petitioner undertakes to deposit an advance rental amount equivalent to six months' rent for respondent no. 2.

8.1. He states that the rent equal to six months can be paid to respondent no. 2 immediately within 24 hours.

8.2. He states that respondent no. 2 has yet to vacate Flat No. 156 and can use the payment to clear the arrears and future rent.

9. In response, learned counsel for respondent no. 2 states that respondent no. 2 has vacated Flat No. 156 and has handed over the keys to the landlord Mr. Manjit Singh Sahni.

10. This fact or submission of respondent no. 2 is specifically disputed by learned counsel for respondent no. 3, who is present in Court.

11. In addition, learned counsel for respondent no. 2 states on instructions that respondent no. 2 does not wish to move back to a rented accommodation even if the petitioner gives her Rs. 27,500/- per month towards rent.

12. In view of the aforesaid submissions of the parties, the petitioner is directed to deposit an amount equal to six months' rent with this Court. If there are any arrears due and payable to the landlord, respondent no. 3 is directed to deposit that money also in this Court within two days.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 04/11/2026 at 19:49:05

13. Issue Court notice to the landlord Mr. Manjit Singh Sahni to remain present in Court on 06.11.2026.

The landlord is directed to maintain *status quo*, as on date, so as to enable the Court to verify the submissions made by learned counsel for respondent no. 2 today, as regards handing over of the possession of Flat No. 156.

14. At this stage, learned counsel, Mr. R.K. Tarun, states that the keys of Flat No. 156 have not been handed over to the landlord and are in the custody of respondent no. 2.

15. It is extremely unfortunate that the stand on handover of keys to the landlord is being changed repeatedly by respondent no. 2, when the Court has specifically enquired about the status of handover of the possession of the flat to the landlord.

16. It is reiterated that the landlord Mr. Manjit Singh Sahni, is directed to maintain status quo *qua* possession of Flat No. 156 as recorded in this order and remain present before the Court on **05.11.2026 at 10:30 A.M**. to enable issuance of appropriate directions.

17. Learned ASC (Crl.) is directed to inform the SHO having jurisdiction over Flat No. 156 to inform the landlord, Mr. Manjit Singh Sahni, to remain present before this Court on **05.11.2026 at 10:30 A.M.**

18. After the aforesaid order has been dictated in Court and hearing is going on, Mr. R.K. Tarun, Advocate for respondent no. 2, loudly made the following remark: -

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 04/11/2026 at 19:49:05

"I cry my beloved justice system"

He repeated this phrase four times, waved his hands in the air and started walking out of the Court in the midst of the hearing, to express his dissatisfaction with the order passed. The Court paused the hearing and called him back, expressing its surprise and displeasure at this misconduct.

19. At this, he expressed his apology, which this Court rejected as it was apparent that the same was neither heartfelt nor genuine, and was just lip service.

It is extremely unfortunate that a counsel, who ought to have the highest regard for the process of law, is expressing loss of faith in the judicial system, creating a nuisance of himself, because the order passed does not suit him or his client. This counsel is clearly aligning himself entirely with the interests of his client to obtain orders which he or his client finds desirable. It appears from the unbecoming conduct of this counsel that to justify the order passed today, to his client he may now try to influence his client and instigate frivolous allegations against the Judge and the judicial system. The actions of Mr. R.K. Tarun are clearly reckless, reprehensible and amount to misconduct. In these circumstances, to protect the dignity of this Court and the judicial system, this Court deems it appropriate to transfer this matter to another Bench, while retaining the aforesaid directions issued to the petitioner, the landlord and the learned ASC (Crl.).

20. Subject to orders of the Hon'ble Judge-in-Charge (Criminal Side), list this matter on **05.11.2026 at 10:30 A.M.**

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 04/11/2026 at 19:49:05

21. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 3, 2026/msh/aa

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 04/11/2026 at 19:49:05